In Re: "A Million Little Pieces" Litigation Doc. 21 Att. 3

EXHIBIT "I"

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Founded in 1980, Larry D. Drury, Ltd. is a civil litigation firm with a wide ranging litigation practice. The Firm primarily represents Plaintiffs, such as consumers, businesses, investors and employees in class action litigation.

ATTORNEYS

LARRY D. DRURY founder of Larry D. Drury, Ltd. graduated from the University of Illinois in 1966 (B.S. Economics) and John Marshall Law School in 1969 (J.D. Law). He is admitted to practice in the Illinois Supreme Court, United States Supreme court, United States Court of Appeals (7th Circuit), United States District Court for the Northern District of Illinois. Further, Mr. Drury has been admitted *pro hac vice* in numerous venues nation wide. Mr. Drury is a practicing experienced civil and criminal trial attorney with a multitude of jury and bench trials. Mr. Drury has argued before the Illinois Supreme Court, Illinois Appellate Court, United States Court of Appeals, Illinois Commerce Commission, and the Illinois Court of Claims, and was one of Plaintiffs' counsel in an appeal before the United States Supreme Court. Early in his career Mr. Drury acted as a Village of Norridge, Illinois Assistant Prosecutor and, more recently in 2003 began working as an Adjunct Professor at the John Marshall Law School in Chicago, Illinois and sits on the John Marshall Law School Alumni Association Board of Directors. Mr. Drury has, for many years, acted as an Illinois State Board of Education Hearing Officer for Teacher Dismissal Hearings and Special Education, as well as an arbitrator for Cook County Arbitration and AAA. He has been published in *Lane's Trial Practice* - "Cross Examination for Class Certification", has lectured before the Chicago Bar Association, Decalogue Society of Lawyers and the Illinois General Assembly, and has been a speaker on the radio on class action litigation. He has appeared on numerous television cable shows on class actions and has made a television appearance in New York on Banking Law and Class Actions. In 2000 Mr. Drury was a candidate for the Illinois Supreme Court and was rated "Well Qualified" by the Illinois State Bar Association (The Alliance of Bar Associations for Judicial Screening includes ten local Bar Associations) and rated "Recommended" by the Cook County Bar Association. He was endorsed by the Illinois Federation of Teachers, Illinois NOW Political Action Committee, IVI-IPO (Independent Voters of Illinois Independent precinct Organization), SEIU (Service Employees Union), Personal PAC, the Italian American Political Coalition and the Decalogue Society of Lawyers. Mr. Drury has argued many high profile cases that have received extensive media attention. His primary area of practice is state and federal consumer class actions and he has acted as lead or class counsel therein. However, Mr. Drury has also handled numerous injunction, contract, tort and equity matters on behalf of clients and has tried numerous criminal matters. Mr. Drury successfully litigated and argued *Steinberg v. Chicago Medical School*, 41

Ill.App.3d 804 (1976), 69 Ill.2d 320 (1977), which is the seminal case under the Illinois class action statute.

ILAN CHOROWSKY is a 1996 graduate of the University of Wisconsin Law School. Mr. Chorowsky has concentrated his practice in multi-state class action litigation of consumer, anti-trust and contract claims in federal and state court venues across the country since 2000. Mr. Chorowsky has served as class counsel in numerous class actions including class actions brought against Yahoo!, Lycos, Inc., Cole Taylor Bank, J.M. Smucker Co., United Postal Service (UPS), Behr Process Corp. and Masco Corp., the Village of Northbrook, Illinois, the *Chicago Sun Times* and in the *In Re Vitamins Antitrust Litigation*. Mr. Chorowsky also has represented plaintiffs and Indian tribes in commercial and other civil litigation since 1999. Mr. Chorowsky joined the Firm in 2003 and presently serves as president of the Chicago Chapter of the Wisconsin Bar Association. He has served on the Board of Directors for the Wisconsin Bar Public Interest Law section and has lectured at the John Marshall School of Law, the University of Wisconsin-Madison Schools of Law and of Medicine and the Wisconsin State Bar Convention.

Prior to practicing law, Mr. Chorowsky clerked for the Wisconsin Department of Justice Civil Litigation Unit and was employed by *The Washington Post* as a researcher for the Smithsonian Institute Woodrow Wilson Center for Scholars.

Mr. Chorowsky presently represents indigent clients in civil litigation, *pro bono*, in conjunction with the Legal Assistance Foundation of Metropolitan Chicago.

MARLO M. MALICAY is the most recent associate, joining the firm in 2005. She is a graduate of Creighton University (B.A. 1999 Psychology and Communications) and Creighton University School of Law (J.D. 2004). Before joining the Firm, Ms. Malicay was a contract attorney in Chicago, Illinois and worked for law firms such as Mayer, Brown, Rose & Maw, Sullivan Hincks & Conway and Standard & Poor's Real Estate Due Diligence Division where she gained extensive research skills and experience in document review, drafting correspondence, discovery, discovery responses, motions and orders, abstracting depositions, and summarizing tenant leases. Prior to becoming an attorney, Ms. Malicay worked as a Legal Assistant for Legal Now in Chicago, Illinois and as an Intern for the Nebraska Equal Opportunity Commission researching jurisdictional issues, interviewing witnesses, working with investigators, and reviewing evidence. Ms. Malicay also has Administrative Assistant and medical terminology background working for Boughton Medical Center in Bolingbrook, Illinois.

PARAPROFESSIONAL

MICHELLE C. MOSES joined the Firm in 1995 and has 28 years of experience in both state and federal courts working in general litigation firms. She has excellent research and organizational skills. Mrs. Moses has experience in drafting correspondence, assists in the drafting of pleadings, discovery and discovery responses, motions, orders and corporate document preparation. She has experience in document preparation for real estate closings, accumulation and review of medical records for personal injury cases and preparation of deposition abstracts. Mrs. Moses is responsible for accurately keeping attorney time records and works extensively with clients in the interview and investigation process. She also works with and directs the Firm's secretarial and law clerk staff.

Mrs. Moses has worked as a Board of Education Secretary being elected in 2001. In that regard she has attended many leadership programs, workshops and seminars, and has been recognized by the Illinois Association of School Boards. She has gained skills in hiring practices, contract terms and negotiation, administration, school construction, creation of an education foundations, student scholarships, alternative funding and programs. She has also been actively involved in pursuing education legislation. Mrs. Moses presently sits as President of a homeowners association working with local government, management companies, vendors and attorneys leading governance in her local community.

CASES

The Firm's expertise and commitment as lead counsel or class counsel in federal and state nation wide and state wide class litigation and settlements is illustrated by the numerous cases it has handled over the years, some of which are detailed below and have resulted in millions of dollars in class member relief.

1. *Schwab v. America Online, Inc.* Case No. 96 CH 13732. Class Counsel and Co-Chair. This highly publicized litigation dealt with the representations of unlimited access to AOL for $19.95/month and the problems that ensued in conjunction therewith. In the face of what was ultimately one hundred class actions filed nationwide, I was involved in the organization of over 50 law firms, setting up the co-chairmanship and the Executive Committee, which brought order and resolution to the litigation. The settlement was approved and resulted in a multi-million dollar benefit to the Class.

2. *In re Chicago Flood Litigation*, Case No. 92 L 5422. 176 Ill.2d 179; 680 N.E.2d 265 (1997) Sup.Ct. Docket Nos. 80460 and 80535 Cons. Class Counsel and a member of the Executive Committee in the case involving the tunnel breach under the Chicago River in the downtown area of Chicago. Recovery of damages and property loss. Admiralty issues were heard before the United States Supreme Court. The firm acted as class counsel for a nation wide class settlement resulting in multi-million dollar relief.

3. *Orrick v. Sonic Communications*, Case No. 95 CH 3567. This litigation, as well as others against the Defendant, resulted from the practice known as "slamming". The private actions and actions filed on behalf of various Attorneys General were consolidated. A settlement providing benefits of approximately $8.3 million dollars was achieved; the settlement covered all pending cases. The firm acted as co-lead counsel.

4. *Siegel v. Syncronys*, Case No. 95 CH 12257. The firm was co-lead counsel in this nationwide class action concerning an allegedly defective computer product. The matter

was settled, resulting in a remedy for the Class which provided for 100% reimbursement of monies spent for the product. The settlement value was estimated at $22 million dollars.

5. *Steinberg v. Chicago Medical School*, 41 Ill.App.3d 804 (1976); 69 Ill.2d 320 (1977). This case involved breach of contract, consumer fraud and declaratory judgment concerning medical school admissions practices and criteria based upon the ability to pay rather than academic credentials. The firm acted as lead counsel and secured a nation wide settlement. This case has been cited as a seminal case under Illinois class action law.

6. *In Re Chicago Sun Times Circulation Litigation*, Case No. 04 CH 9757. This case involved the misrepresentation of circulation distribution of the newspaper in setting advertising rates. The firm served on the Executive Committee and sat as a Co-Chair on attorneys' fee allocation committee. Class relief was established in the amount of $15 million dollars.

7. *Spratt v. City of Wheaton, et al.* - Case No. 2004 L 000792
O'Russa v. City of Peoria - Case No. 05 CH 20
Bourzak v. City of East Peoria - Case No. 05 CH 11
Siegel v. Village of Northbrook - Case No. 02 CH 1901
Sargent v. City of Carbondale - Case No. 05 MR-1
The above matters involve the refund of the Illinois statutory infrastructure maintenance fees imposed upon users of wireless and landline telephone service after a successful constitutional challenge concerning the statute. The firm served as lead counsel in each case and settlement funds were established in the total amount of $7.5 million dollars.

8. *Siegel v. Arista*, Case No. 90 CH 11439. Litigation regarding consumer fraud and deceptive practices by award winning singers and the record company as to lip syncing and masking of their music. A multi-million dollar nation wide settlement was achieved.

9. *In Re Commonwealth Edison 1999 Summer Power Outages* - Consolidated Actions No. 99 CH 11626, No. 99 CH 11954 and No. 99 CH 12339. The case involved negligence, statutory breach and injunction concerning the deteriorated electrical equipment causing mass power outages. A state wide class was certified resulting in $7.75 million dollars in consumer relief.

10. *In Re Pentium Computer Chip Litigation*. The firm served on the Executive Committee in this early computer litigation dealing with consumer rights when there was an inherent defect in chip speed and function. The consumers had the right to receive a replacement chip and recover damages which resulted in $200 million dollar class relief.

In addition to the above cases the firm has been lead counsel, class counsel or Plaintiffs' counsel in the litigation and settlements of the cases listed below which resulted in millions of dollars of benefits to class members and entertained causes of action for one or more of the following: breach of contract, third party beneficiary, tort, consumer fraud, deceptive practices, unjust enrichment, products liability, anti-trust, constitutional and statutory breach, declaratory judgment or injunctive relief:

* *Langendorf v. Irving Trust*, 244 Ill.App.3d 70 (1992) (Unilateral Change of Interest Rates and Return on Money Market Accounts and other Certificates of Deposit)

* *Stone v. Mardoian*, 83 Ill.App.3d 188 (1980) (Challenge to Clerk of the Circuit Court of Lake County Fees)

* *Stone v. Omnicom Cable Television*, 131 Ill.App.3 210 (Trespass to land for cable lines)

* *Rosenbloom v. Chicago Motor Club* (No. 1-97-3359) (Elimination of Services provided for in the contract without refunds of the money paid therefore.)

* *Hacker v. Nicor* (Defective gas regulators and mercury exposure)

* *Bridgestone/Firestone* (Defective tires)

* *LaSalle Bank/Cole Taylor Bank* (Bank "Float" and Failure to refund bank fees and charges)

* *Breast Implant Cases* (Product Liability)

* *In Re Allstate Litigation* (Denial of insureds' medical claims without a basis therefore).

* *In Re McDonalds* (Monopoly game scandal concerning stolen game pieces)

* *Christman v. Brauvin Realty Advisors, Inc.* (No. 96 C 6025) (Self-dealing and Partnership Assets, Breach of Fiduciary Duty)

* *In Re Synthroid* (Consumer Fraud concerning the marketing of Synthroid)

* *In Re Travel Agency Communications Anti-Trust Litigation* (Restraint of Trade)

* *Katz v. Comdisco, Inc.* No. 86 C 444 (Securities Fraud)

* *In Re Salmonella* (Products Liability, Negligence)

* *Napoli v. Illinois Guaranty Fund* (Breach of Contract, Breach of Statute)

* *Benjamin v. Chicago Sun Times* (Stock Market Publication Errors)

* *Gore v. Bally Total Fitness* (Membership Fees Breach)

* *Tishel v. American Taxi* (Cab Driver Association Contract Dispute and Injunctive Relief)

* *Scherer v. Chicago Title & Trust* (Breach of Contract - Escrow Agreements)

* *Kousins v. Continental Bank of Illinois* (Bank Float and Bank Fees and Costs)

* *Dubler v. Kryptonite Corporation and Ingersoll Rand Company* (Defective Locks)